

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JEFFREY TODD KNUDSON,

Plaintiff,

No. 14-14854

v.

District Judge George Caram Steeh
Magistrate Judge R. Steven Whalen

AMERICAN STEAMSHIP COMPANY,
ET AL.,

Defendants.

ORDER

For the reasons and under the terms stated on the record on November 7, 2019, Plaintiff's Second Motion to Compel Defendants' Financial Statements, Tax Returns and Wage Information [ECF No. 212] is GRANTED IN PART AND DENIED IN PART.

The motion is GRANTED as follows:

-Defendants¹ will produce what they refer to as their unaudited financial statements.

-Defendants will produce their own financial documents that they provided to GATX, their parent company, and which are therefore in Defendants' constructive possession. Defendants will request that GATX provide to them all financial information that they forwarded to GATX in the years 2013 to 2019. If GATX represents that it does not have responsive documents, or refuses to provide the documents to Defendants, the Defendants will so inform counsel for Plaintiff.

¹ When referred to in the plural, "Defendants" applies to both American Steamship Company and Liberty Steamship Company.

-The Plaintiff may also serve a non-party subpoena, under Fed.R.Civ.P. 45, on GATX, requesting financial information regarding Defendants, including tax documents. GATX may redact from its tax documents any information not pertaining to Defendants. Discovery is extended 30 days from the date of this Order solely for the purpose of allowing Plaintiff to serve the Rule 45 subpoena.

The motion is DENIED as to Plaintiff's request for the production of additional wage and earnings information of similarly situated Liberty Steamship Company employees.

IT IS SO ORDERED.

Dated: November 7, 2019

s/R. Steven Whalen
R. STEVEN WHALEN
UNITED STATES MAGISTRATE JUDGE

CERTIFICATE OF SERVICE

I hereby certify on November 7, 2019 that I electronically filed the foregoing paper with the Clerk of the Court sending notification of such filing to all counsel registered electronically. I hereby certify that a copy of this paper was mailed to the following non-registered ECF participants November 7, 2019.

s/Carolyn M. Ciesla
Case Manager for the
Honorable R. Steven Whalen